

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

507 SUMMIT LLC,

Petitioner,

v.

DAVID KATSUJIN CHAO,

Respondent.

Case No. [23-mc-80069-DMR](#)

**ORDER RE: EX PARTE  
APPLICATION FOR DISCOVERY  
PURSUANT TO 28 U.S.C. § 1782**

Petitioner 507 Summit LLC filed an ex parte application for an order pursuant to 28 U.S.C. § 1782 authorizing discovery for use in foreign proceedings, seeking permission to serve a subpoena on David Katsujin Chao. [Docket No. 1.] The court cannot decide the application without the consent of all parties. *See CPC Pat. Techs. Pty Ltd. v. Apple, Inc.*, 34 F.4th 801, 808 (9th Cir. 2022) (holding that section 1782 applications for discovery are dispositive within the meaning of 28 U.S.C. § 636(b)(1)). Accordingly, Petitioner shall serve the application and this Order on Mr. Chao by no later than **March 27, 2023** and file proof of service. Mr. Chao shall file any response to the application by no later than **April 10, 2023**. By the same deadline, the parties shall file either the consent or declination form indicating whether they consent to the jurisdiction of the Magistrate Judge in this matter. The forms are available at <http://cand.uscourts.gov/civilforms>. Any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. If the parties do not consent, the case will be randomly assigned to a District Judge of this court.

**IT IS SO ORDERED.**

Dated: March 13, 2023



Donna M. Ryu  
United States Magistrate Judge